

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	0

MR. SPEAKER:

Your Committee on **Veterans Affairs and Public Safety**, to which was referred
Senate Bill 480, has had the same under consideration and begs leave to report the same
back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 9, delete lines 32 through 42, begin a new paragraph and
2 insert:
3 "SECTION 6. IC 10-17-1-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The position of
5 director of veterans' affairs is established. The governor shall appoint
6 the director for a four (4) year term. However, the term of office of the
7 director terminates when the term of office of the governor terminates
8 or when a successor to the director is appointed and qualified. The
9 director must be:
10 (1) an honorably discharged veteran who has at least six (6)
11 months **active** service in the armed forces of the United States;
12 and
13 (2) a citizen of Indiana and a resident of Indiana for at least five
14 (5) years immediately preceding the director's appointment.
15 (b) The director is entitled to reimbursement for necessary traveling
16 and other expenses.

(c) The governor may remove the director if the governor considers the director guilty of misconduct, incapability, or neglect of duty.

(d) The governor shall appoint an assistant director of veterans' affairs. The assistant director is entitled to receive reimbursement for necessary traveling and other expenses. The assistant director has the same qualifications as the director of veterans' affairs and shall assist the director in carrying out this chapter.

SECTION 7. IC 10-17-1-6, AS AMENDED BY P.L.58-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The director of veterans' affairs:

(1) is the executive and administrative head of the **Indiana** department of veterans' affairs; and

(2) shall direct and supervise the administrative and technical activities of the department;

subject to the general supervision of the commission.

(b) The duties of the director include the following:

(1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.

(2) To appoint, by and with the consent of the commission, under this chapter and notwithstanding IC 4-15-2, the employees of the department necessary to carry out this chapter and to fix the compensation of the employees. Employees of the department must be:

~~(A) honorably discharged veterans who have had at least six (6) months service in the armed forces of the United States and who are citizens of the United States and Indiana; or~~

~~(B) spouses, surviving spouses, parents, or children of an individual described in clause (A).~~

~~An employee must~~ qualify for the job concerned.

(3) To carry out the program for veterans' affairs as directed by the governor and the commission.

(4) To carry on field direction, inspection, and coordination of county and city service officers as provided in this chapter.

(5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.

(6) To maintain an information bulletin service to county and city service officers for the necessary dissemination of material

1 pertaining to all phases of veterans' rehabilitation and service
2 work.

3 (7) To perform the duties described in IC 10-17-11 for the Indiana
4 state veterans' cemetery.

5 (8) To perform the duties described in IC 10-17-12 for the
6 military family relief fund.

7 SECTION 8. IC 10-17-1-7 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. ~~The director of~~
9 ~~veterans' affairs may act as agent of a veteran under~~ (a) A power of
10 attorney authorizing ~~the director to act~~ **action** on behalf of ~~the a~~ veteran
11 in obtaining a benefit or an advantage **for a veteran** provided under
12 Indiana law **must run to an authorized agency or individual**
13 **recognized by the United States Department of Veterans Affairs.**

14 **(b) A rule contrary to this section is void.**

15 SECTION 9. IC 10-17-1-9 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) A county
17 executive:

18 (1) shall designate and may employ a county service officer; and

19 (2) may employ service officer assistants;

20 to serve the veterans of the county.

21 (b) The fiscal body of a city may provide for the employment by the
22 mayor of a city service officer and service officer assistants to serve the
23 veterans of the city.

24 (c) If the remuneration and expenses of a county or city service
25 officer are paid from the funds of the county or city employing the
26 service officer, the service officer shall:

27 (1) have the same qualifications and be subject to the same rules
28 as ~~other employees~~ **the director, assistant director, and state**
29 **service officers** of the **Indiana** department of veterans' affairs;
30 and

31 (2) serve under the supervision of the director of veterans' affairs.

32 **A service officer assistant must have the same qualifications as an**
33 **employee described in section 11(b) of this chapter. A rule contrary**
34 **to this subsection is void.**

35 (d) County and city fiscal bodies may appropriate funds necessary
36 for the purposes described in this section.

37 SECTION 10. IC 10-17-1-11 IS ADDED TO THE INDIANA
38 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2007]: **Sec. 11. (a) The following employees of the Indiana department of veterans' affairs must satisfy the requirements set forth in section 5(a) of this chapter:**

(1) State service officers.

(2) Director of the state approving agency.

(3) Program directors of the state approving agency.

(4) Director of the Indiana state veterans' cemetery established by IC 10-17-11-4.

(b) An employee of the Indiana department of veterans' affairs not described in subsection (a) must:

(1) satisfy; or

(2) be the spouse, surviving spouse, parent, or child of a person who satisfies;

the requirements set forth in section 5(a) of this chapter."

Page 10, delete lines 1 through 13.

Page 10, line 38, delete "ADDED BY P.L.246-2005," and insert "AMENDED BY SEA 526-2007, SECTION 203,".

Page 10, line 39, delete "SECTION 142,".

Page 11, line 13, delete "higher" and insert "postsecondary".

Page 11, between lines 39 and 40, begin a new paragraph and insert:
"SECTION 14. IC 21-14-9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 9. Resident Tuition for Active Duty Military Personnel

Sec. 1. As used in this chapter, "active duty" means full-time service in the armed forces of the United States that exceeds thirty (30) days in a calendar year.

Sec. 2. As used in this chapter, "armed forces of the United States" means any of the following:

(1) The United States Air Force.

(2) The United States Army.

(3) The United States Coast Guard.

(4) The United States Marine Corps.

(5) The United States Navy.

Sec. 3. As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

Sec. 4. (a) Notwithstanding any other statute, a person who:

(1) is a nonresident of Indiana;

1 **(2) serves on active duty;**
 2 **(3) is stationed in Indiana; and**
 3 **(4) attends a state educational institution;**
 4 **is eligible to pay the resident tuition rate determined by the state**
 5 **educational institution for courses taken by the person while the**
 6 **person continues to satisfy the criteria set forth in subdivisions (2)**
 7 **and (3).**

8 **(b) A dependent of a person described in subsection (a) is**
 9 **eligible to pay the resident tuition rate determined by the state**
 10 **educational institution for courses taken by the dependent for the**
 11 **duration of the dependent's enrollment at the state educational**
 12 **institution."**

13 Page 12, after line 22, begin a new paragraph and insert:

14 **"SECTION 18. [EFFECTIVE JULY 1, 2007] IC 10-17-1-5 and**
 15 **IC 10-17-1-9, both as amended by this act, and IC 10-17-1-11, as**
 16 **added by this act, apply to employees who begin employment with:**
 17 **(1) the Indiana department of veterans' affairs; or**
 18 **(2) a county or a city under IC 10-17-1-9, as amended by this**
 19 **act;**
 20 **as applicable, after June 30, 2007."**

21 Renumber all SECTIONS consecutively.

(Reference is to SB 480 as printed February 16, 2007.)

and when so amended that said bill do pass.

Representative Tincher